

KENTUCKY GAZETTE

AND GENERAL ADVERTISER.

[VOL. XVI.—No. 854.]

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TUESDAY, JANUARY 25, 1863.

AN ACT TO ESTABLISH CIRCUIT COURTS.

PASSED DECEMBER 20th, 1862.

WHEREAS the present Judiciary System is found to be inconvenient and expensive:

Sec. 1. Be it therefore enacted by the General Assembly, That the present district courts and general court shall be and are hereby abolished, so soon as this act takes effect.

Sec. 2. Be it further enacted, That circuit courts shall be and they are hereby established, and shall be held within the circuits herein after mentioned, to wit: The counties of Montgomery and Floyd shall compose one circuit, the circuit court for said circuit shall be held at the court-house in the county of Montgomery; the counties of Bourbon and Nicholas shall compose one circuit, and the court thereof shall be held in the court-house of Bourbon county; the counties of Mason and Bracken shall compose one circuit, and the court thereof shall be held in the court-house of Mason county; the counties of Campbell, Pendleton and Boone shall compose one circuit, and the court thereof shall be held in the court-house of Campbell county; the counties of Henry and Gallatin shall compose one circuit, and the court thereof shall be held in the court-house of Henry county; the counties of Ohio and Breckenridge shall compose one circuit, and the court thereof shall be held in the court-house of Ohio county; the counties of Muhlenberg and Henderson shall compose one circuit, and the courts for the same shall be held in the court-house in the county of Muhlenberg; the counties of Pulaski and Wayne shall compose one circuit and the court thereof shall be held in the court-house of Pulaski county; the counties of Lincoln and Knox shall compose one circuit, and the court thereof shall be held in the court-house of Lincoln county; every other county in this commonwealth shall each compose one circuit, and the court of each circuit shall be held at the county court-house of the county composing such circuit.

Sec. 3. And be it further enacted, That each circuit shall hold three terms in every year, and shall sit six judicial days at each term if necessary, except the circuit courts for the counties of Mason, Bourbon, Fayette, Nelson and Logan, shall sit eighteen judicial days each term if necessary, except the Logan circuit which may sit twelve days if necessary.

Sec. 4. The Madison circuit shall be held on the first Monday in March, June and September in every year; the Lincoln circuit shall be held on the second Monday in March, June and September in every year; the Garrard circuit shall be held on the third Monday in March, June and September in every year; the Pulaski circuit shall be held on the fourth Monday in March, June and September in every year; the Adair circuit shall be held on the first Monday in February, May and September in every year; the Cumberland circuit shall be held on the second Monday in February, May and September in every year; the Barren circuit shall be held on the third Monday in February, May and September in every year; the Greene circuit shall be held on the fourth Monday in February, May and September in every year; the Mercer circuit shall be held on the fourth Monday in February, May and August in every year; the Warren circuit shall be held on the first Monday in March, June and September in every year; the Logan circuit shall be held on the second Monday in March, June and September in every year; the Muhlenberg circuit shall be held on the third Monday in March, June and September in every year; the Ohio circuit shall be held on the fourth Monday in March, June and September in every year; the Livingston circuit shall be held on the first Monday in February, May and September in every year; the Washington circuit shall be held on the first Monday in March, June and October in every year; the Nelson circuit shall be held on the second Monday in March, June and October in every year; the Hardin circuit shall be held on the third Monday in April, July and October in every year; the Bullitt circuit shall be held on the fourth Monday in March, June and October in every year; the Jefferson circuit shall be held on first Monday in February, May and September in every year; the Shelby circuit shall be held on the second Monday in April, June and October in every year; the Henry circuit shall be held on the third Monday in April, June and October in every year; the Franklin circuit shall be held on the third Monday in April, July and October in every year; the Woodford

circuit shall be held on the first Monday in March, June and September in every year; the Fayette circuit shall be held on the second Monday in March, June and September in every year; the Jefferson circuit shall be held on the third Monday in April, July and October in every year; the Clarke circuit shall be held on the first Monday in April, July and October in every year; the Montgomery circuit shall be held on the fourth Monday in April, July and October in every year; the Fleming circuit shall be held on the first Monday in March, June and September in every year; the Mason circuit shall be held on the second Monday in April, July and October in every year; the Bourbon circuit shall be held on the third Monday in April, July and October in every year; the Scott circuit shall be held on the second Monday in April, July and October in every year; the Harrison circuit shall be held on the first Monday in February, May and August in every year; the Campbell circuit shall be held on the second Monday in April, July and October in every year; the Christian circuit shall be held on the fourth Monday in March, June and September in every year.

Sec. 5. And be it further enacted, That the county courts of each county in which circuit courts are directed to be held by this act, shall be holden on the same Monday of every month on which circuit courts are directed to be held, except those months in which circuit courts are held.

Sec. 6. And be it further enacted, That the clerk of the general court and each circuit court shall make out his court docket within three days after the rule day next preceding each term.

Sec. 7. And be it further enacted, That the circuit courts established by this act shall have jurisdiction in all causes matters and things at common law and chancery, within their respective circuits, except in causes of less value than five pounds, or one thousand pounds of tobacco, and except so far as shall be otherwise directed by this act, and the said circuit courts within their respective circuits shall have the same power, authority and jurisdiction which the district courts and quarter session courts are vested with; and the said circuit courts shall be governed by the same rules and regulations by which the said district and quarter session courts are now governed, so far as they are consistent and compatible, and where they are inconsistent the said circuit courts shall be governed by the rules and regulations of the district courts.

Sec. 8. And be it further enacted, That each circuit court shall consist of one circuit judge and two assistant judges, which assistant judges shall be residents of the county in which the circuit court shall be held to which they shall be appointed. The circuit judge or the two assistant judges or the circuit judge and one assistant shall be sufficient to constitute a court. When the circuit judge alone constitutes a court he cannot proceed to the trial of criminal whole punishment, if convicted, would be capital or confinement in the jail and penitentiary, but the trial of such prisoner shall be continued over till the next term, unless the prisoner petition the court to proceed to trial.

Sec. 9. Be it further enacted, That where a criminal case is continued in consequence of there being but the circuit judge and neither the two assistant judges, nor the circuit judge and one assistant do attend at the next term, the prisoner shall be bailed as of right, and the bail shall be according to his ability and the degree of his offence. Where only the circuit judge attends and the accused person petition to be tried, but the jury do not agree in their verdict, it is no bar to his being bailed, and if he attend on the first day of the succeeding term and render himself according to his recognizance and there be not a sufficient court on or before the third day he shall be discharged.

Sec. 10. And be it further enacted, That before any circuit or assistant judge can act as such, he shall swear or affirm before some justice of the peace, that he will administer justice without respect of persons, and do equal right to the poor and the rich, and that he will faithfully and impartially discharge the duties of a circuit court judge or assistant judge, (as the case may be) according to the best of his abilities and understanding, agreeable to the constitution and laws of this commonwealth, and a certificate of his oath or affirmation shall be recorded in the general court or in the circuit court to which such circuit or assistant judge may be allotted or belong.

Sec. 11. And be it further enacted, That if neither the circuit judge nor the two assistant judges attend on the

first day of any circuit court term, the court shall stand adjourned from day to day until a court is made, should that happen before four o'clock of the afternoon of the fourth day.

Sec. 12. And be it further enacted, That the sheriffs of the several counties in which circuit courts are held, shall summon grand jurors to attend the said courts in the same manner they are now directed to summon grand jurors to attend the district and quarter session courts; and the said sheriff shall attend the circuit courts in the same manner they are now required to attend the quarter sessions.

Sec. 13. And be it further enacted, That when any person, not being a slave, shall be charged before a justice of the peace with any criminal offence in any county in which a circuit court shall be held, the punishment for which, in the opinion of such justice, would be capital or confinement in the penitentiary house, the said justice shall take a recognizance of all material witnesses to appear before the county court of his county, to be held for the examination of such charge and immediately by his warrant commit such prisoner to be charged to the jail of his county, and shall issue his warrant to the sheriff of his county to summon the five senior justices of the said county to meet at the court-house of the said county on a day to be fixed by the said justice, not less than five nor more than ten days, after the date thereof, to hold a court for the examination of the fact; which justices or any three of them shall be sufficient to constitute a court. The court having met as aforesaid shall consider whether the prisoner be discharged from further prosecution or must be tried in the circuit court of the said county; if they are of opinion the prisoner ought to be tried in the circuit court of said county, they shall take the depositions of the witnesses and bind such as they think proper by recognizance to give evidence against such criminal at the trial. If the court shall deem such prisoner bailable by law, they shall enter the opinion in their proceedings and also the sum in which he and his securities or bail ought to be bound; and where they shall be of opinion that the prisoner is not bailable, or where they shall be of opinion the prisoner is bailable and such prisoner shall fail or refuse to give bail, in both cases the prisoner shall be remanded to the jail of the said county for trial in the circuit court, and until he shall be discharged by due course of law; and the clerks of the county courts shall immediately transmit to the commonwealth's attorney for the circuit, a copy of the depositions and proceedings on such trial.

Sec. 14. And be it further enacted, That nine circuit judges shall be appointed and commissioned within this commonwealth and two fit persons in each county in which circuit courts are directed to be held by this act, to be styled assistant judges of the circuit court to which they are appointed.

Sec. 15. And be it further enacted, That the circuit judges to be appointed by this act shall hold a general court in the state house in the town of Frankfort on the first Monday in May and December in every year, and shall sit at each term fifteen days if necessary. The said general court shall have the same power, authority and jurisdiction which the general court had, previous to the passage of this act, and shall proceed to hear and determine all causes, matters and things depending in the general court at the time this act takes effect, according to the rules and regulations by which the said court has been heretofore governed and which shall be established by law.

Sec. 16. And be it further enacted, That questions of law new or difficult arising in any land cause, may be adjourned from any circuit to the general court, where they shall be decided on without delay.

Sec. 17. And be it further enacted, That the clerks of the circuit courts shall have the same fees as those of the quarter session and county courts for similar services, and for other services the same as those of the present district courts, and shall be collected & accounted for in the same manner and under the same penalties.

Sec. 18. Be it further enacted, That the circuit judges shall at each term of the general court allot, among themselves the circuit courts they shall severally attend; and the said judges shall be presiding judges of the circuit court in which they may respectively sit; which allotment shall be certified by the judges making it, and entered on the records of their circuits. Where the governor makes a temporary appointment of a judge, such judge shall take the place of him whose vacancy he fills.

Sec. 19. The said circuit courts shall be governed by the same rules respecting

pleading set offs and giving them in evidence as the quarter session courts now are. They shall have power to award injunctions, writs of certiorari, ne exeat and habeas corpus, and any circuit judge may in vacation grant such writs to operate in any part of the commonwealth, and the two assistant judges of any circuit court shall have power in vacation to award any of those writs to operate within the circuit to which they belong.

Sec. 20. And be it further enacted, That the circuit judges to be appointed by this act shall be allowed the sum of seven hundred and fifty dollars each, annually, payable quarterly, subject to the like deductions for non-attendance as the district judges now are, and the assistant judges to be appointed by this act shall receive as a compensation for their services two dollars per day, to be certified and paid as the quarter session justices now are.

Sec. 21. And be it further enacted, That in each county in which no circuit court is directed to be held by this act, the proceedings against persons charged with offences shall be as heretofore, and prisoners shall be removed from such county to the circuit court of the circuit of which such county makes a part, and venire and witnesses shall be summoned to attend such circuit court in the same manner and under the same rules and regulations as prisoners are now removed, and venire and witnesses are now summoned to the district courts.

Sec. 22. And be it further enacted, That the justice before whom a slave shall be charged with any crime, shall, if there appears to him just ground for the charge commit such slave to the jail of his county, and issue his warrant to the sheriff of the county where the offence was committed to summon the five senior justices of the county court of the county where the crime is alleged to have been committed, in the same manner and to meet within the same time as is directed in the case of any free person charged with any crime in any county in which a circuit is directed to be held by this act, and also to summon a jury of the vicinage, no one of whom shall be master of such slave or related to the master or prosecutor in any degree which would be a cause of challenge to a jurymen in a trial between free persons, to appear at the same time and place for the trial of such slave. The justices so met or any three of them shall constitute a court of oyer and terminer for the trial of such slave, and shall have the same power and authority to give judgment and award execution, and in all respects to proceed in the same manner as the courts of quarter sessions are now authorized and directed to do in like cases.

Sec. 23. Be it further enacted, That the clerk of each district court within this commonwealth after this act takes effect, shall on demand, or within ten days at least thereafter, deliver to the clerk of the circuit court of the county in which such district court is now held, all the records and papers belonging to his office, except the papers and records belonging to the Danville district court, which the clerk thereof shall deliver to the clerk of the Lincoln circuit court within the time aforesaid.

Sec. 24. And be it further enacted, That it shall be the duty of the clerk of the present general court within ten days after the clerk of the general court erected by this act shall demand the same, to deliver all papers, records and things belonging to his office to the clerk of the general court erected by this act, under the penalty of one thousand dollars, recoverable by action of debt in any court of record having jurisdiction thereof, to the use of the party suing for the same. And the clerk shall in arranging the causes or questions depending in the general court and Franklin district court on his docket, give a preference to the causes or questions depending in the general court, and the general court shall have as full and complete jurisdiction in all causes matters and things criminal as well as civil, and also over all causes which may be adjourned or removed from any of the district courts.

Sec. 25. And be it further enacted, That the clerk of each quarter session court abolished by this act, shall on demand or within ten days at least thereafter deliver to the clerk of the circuit court of the county in which such quarter session court is now held, all records, papers and things belonging to his said office.

Sec. 26. And be it further enacted, That if any clerk whose duty it is to deliver up papers, records, &c. shall fail or refuse to do so upon the application of the clerk authorized to receive them, or within ten days thereafter, shall forfeit and pay the sum of one thousand dollars

to be recovered by action of debt, or information in any court having jurisdiction thereof to the use of the informer or any person suing for the same.

Sec. 27. And be it further enacted, That every quarter session court which is now by law held in any county in which a circuit court is directed to be held by this act, shall be and the same is hereby abolished so soon as this act takes effect.

Sec. 28. And be it further enacted, That every writ or other process of any description which shall be issued returnable to the next May term of the present general court or any rule day thereof, shall be returned to the third day of the first term of the general court as constituted and established by this act, or to the first rule day thereof as the case may be, and every such writ or process shall be as good and valid as if this act had not been passed, and all bail bonds and recognizances returnable to the present general court, shall be returned in the like manner and have the like force and validity as if this act had not been passed.

Sec. 29. And be it further enacted, That any five of the circuit judges shall be sufficient to constitute a general court to do business, and when a sufficient number of judges do not attend on the first day of any term of the general court to constitute a court, the court shall stand adjourned from day to day until a court is made, provided that happen before the fifth day of the term.

Sec. 30. Be it further enacted, That witnesses and venire men shall receive the same compensation for attending the circuit courts of the counties in which they may reside, which witnesses are now allowed for attending the courts of quarter sessions of counties in which such witnesses reside, and in all other cases witnesses shall receive the same allowances for attending the circuit courts as they are now allowed for attending the quarter session court.

Sec. 31. And be it further enacted, That the clerk of each circuit court into whose hands the papers and records of any quarter session court are directed to be delivered by this act, shall docket the causes which may be depending therein at the time this act takes effect in the order in which they stand on the dockets of such quarter session court, and where the same circuit court clerk shall receive also the papers and records of any district court shall observe the same rule, giving preference to the quarter session court business.

Sec. 32. And be it further enacted, That each circuit court shall have the same power, authority and jurisdiction over all suits matters and things which may be depending and undetermined in any quarter session or district court at the time this act takes effect, the papers and records of which courts may be delivered to the clerk of such circuit court, which such quarter session or district court would have had in case this act had never been passed; and such circuit court shall have the same power, authority and jurisdiction to award executions and other legal process on all decrees and judgments of such quarter session and district courts, as such quarter session and district courts would have had in case this act had never been passed.

Sec. 33. And be it further enacted, That the jail of each county in which a circuit is directed to be held by this act shall be the jail of such circuit court.

Sec. 34. And be it further enacted, That every criminal or prisoner who shall remain in any district jail at the time this act takes effect for trial in such district courts, such criminals or prisoners shall be tried and proceeded against in the circuit court to be held in the county in which such district court is now held, in the same manner in which such prisoner would have been tried and proceeded against in such district court in case this act had not been passed.

Sec. 35. And be it further enacted, That every writ, execution, attachment, and process of every description which may be issued from any district or quarter session court before this act takes effect and returnable to a term of either of said courts or a rule day thereof to be held subsequent to the time this act takes effect, shall be legally returnable and shall be returned by the sheriff or other officer under like penalties as in other cases, to the first term of the circuit court to be held in the county in which the district or quarter session court is held from which such writ or process may have issued and every such writ or process shall be as good and valid in such circuit court as it would have been in the quarter session or district court from which it issued in case this act had not been passed.

Sec. 36. And be it further enacted, That every bail bond & recognizance of every description taken and entered before this act takes effect for the

garantee of any person or persons at any term of any quarter session or district court which would have been held after the time this act takes effect, in case it had not been passed, such bail bond or recognizance shall be returned to the third day of the first term of the circuit court to be held in the county in which the quarter session or district court is held to which such bail bond or recognizance may be returnable except as to the Danville district court which shall be returned to the Lincoln circuit court, and such bail bond or recognizance shall be as good and valid in said circuit court and may be discharged in the same manner as it would have been if this act had not been passed. The clerks of the circuit courts shall be entitled to the same allowances for ex-officio services as the clerks of the quarter session courts; and the sheriffs of the several counties shall be entitled to the same allowances as heretofore for similar services, except that no sheriff shall be entitled to any daily allowance for attending the circuit courts.

This act shall commence and be in force from and after the last day of April next, except that the judges to be commissioned by this act shall be appointed during the present session of the legislature, to hold their commissions from and after the last day of April next, and the circuit judges shall convene on the first Monday in May next, at the State house in Frankfort, for the purpose of constituting a general court, and shall at that time make an allotment of their different circuits. Provided however, that the district judges shall remain in their office as district judges, until the last day of April next.

A DISSERTATION, On the Political Character & Writings of Thomas Paine, author of Common Sense, Rights of Man &c.

(No. 2.)

DISCUSSION.

"AGE OF REASON."

THERE has no work of genius appeared since the American revolution, that has occasioned more bitter persecution to the author, and upon grounds so perfectly untenable, as the pamphlet entitled "Age of Reason, or an investigation of True and Fabulous Theology." In taking a view of the history of society, the human mind, in every age, appears to have been as little disposed to grant toleration to the philosopher, who wipes away the cobwebs of superstition, as to the patriot, who saves his country.

Charles Martel seized upon a small portion of the Ecclesiastical domains in France, to enable him to break down the banners of Mahomet, that had been erected in Europe. The Roman Catholic divines, sent him to hell, as an act of divine justice. Father Paul of Venice, who wrote the "Secret History of the Council of Trent," an individual who had acquired all the wisdom and possessed all the liberality of an actual philosopher, was sacrificed at the foot of the altar, to appease the vengeance of Catholic despotism. He received nineteen daggers in his body, at the same moment, from the hands of as many vindictive assassins, who had undertaken to execute the commands of the hierarchy. Recovering from these wounds, the wrath of his enemies was not satisfied, by inflicting on this venerable sage, the most brutal barbarity. He was afterwards struck dead by the hand of an assassin, as he was engaged amid the orisons of piety, at the foot of the shrine. In England, and, indeed, all over Christendom, Hume, Bolingbroke and Shaftsbury have long since received the vengeful Anathemas of the bigot. It is easy to be perceived that this spirit of persecution, proceeds from the pride of religious infallibility. It is incorporated in the devotions of every sect who pretends to worship the divinity. To Erebus, one of the seven hells of perdition or to the devil, is the Journey which the Pagan, Mahometan and Christian, sends his fellow mortal, who happens to differ with him in matters of religious faith.—It is perfectly immaterial, whether opportunity to receive conviction of the truth, has been enjoyed, or not. The Musselman of Medina, sinks the Laplander of the pole to perdition, because he has never made a pilgrimage to the tomb of the holy prophet, and knelt at the shrine of the sacred Caaba. The ghost of the Jew, flits through the shades of Erebus, pursued by fiends, in the imagination of the Pagan; and the divine Socrates who adored the author of his existence by the light of nature, and who lived four centuries before the gospel dispensation, has experienced a similar fate. In all these cruel maledictions, the pride of religious infallibility is the great leading principle; and Thomas Paine, like his unfortunate pre-

decessors, has not escaped their vengeance, in an age of philosophy and toleration.

That a being like man, endowed with reason, should thus have become the sport of passion and delusion, that the spirit of intolerance should have obliterated every honest feeling of the heart, and sacrificed to pride, the empire of that sublime intelligence, which he derived from nature, are among the most curious phenomena of the moral world.

I shall not attempt to develop the mystery; I shall only investigate the subject of religious despotism upon principles of right reason;—and this purpose can be best effected by an enquiry into the rights of religious liberty. When the mind reflects on the subject, the same difficulties do not occur, as when it is engaged in developing the titles of usurpation. It does not ask, why, or wherefore; but comes immediately home to the point of conviction. The charter of authority is founded in the moral nature of man; and the moment he begins to exist, the right begins also.

Upon the foundation of perfect natural equality, man claims the privilege of religious liberty. The charter to those rights, is not altered by usurpation, which is the true basis of religious intolerance. It is only suspended by the more plausible appearance of a superior title. It receives no impression from Time, because Time can make no impression on principle; and the same rights which appertained to Philip of Macedon, appertain to every member of the living generation; nor is the title changed, by the flight of two thousand years. It is not subject to the capricious will of human legislation; because, altho' it may suspend, by usurpation, it cannot destroy by right. It exists in the nature of man; himself is the evidence of the deed; nor can it be cancelled until that nature and evidence are lost, amidst the convulsions of time.

Taking this state of the cause, as the true ground of religious liberty, let us proceed to make the application.

Who is he that would intermeddle between me and my God? I have an equal right to do the same thing with another. It is presumption of the most treasonable kind, and sacrilege against the decrees of nature. The Christian who persecutes the infidel, or the infidel who persecutes the Christian, for his religious sentiments, come within this description. They are both tyrants; because they exclude consent, by compulsion, and oppose the claims of right, by the tyranny of force. The Christian has no more right to exclude the infidel from the right of thinking and the right of praying in his own way, than the infidel has, to exclude the Christian. Whenever it is done, under whatever pretext; or authority, the ground of the pretext is false, and the authority is extorted by the despotic power of usurpation, from the superior claims of natural right. Will the Christian exclude himself from thinking and praying in his own way? No. He follows the bent of his faith; and deems the man guilty of tyranny and sacrilege who would prevent him. Will the infidel exclude himself from the same privilege? No. Who then possesses the right to exclude? Neither the Christian, nor the infidel; because their rights are reciprocal, and no preponderance, the one way or the other, can diminish, or encrease their dignity. To say that either had the right to exclude, would be to authorize a human inquisition with the power of governing the empire of natural rights. At best it would be nothing more, or less, than a court of conscience, where neither the superiority of wisdom, or virtue, could possibly sanctify the inquisitorial prerogative. It would be opposing the consciences of one set of men, to the consciences of another set of equally intelligent beings; and would produce, upon principles of analogy, the same effect, in the moral world, that two bodies of the same nature, coming in contact with each other, produce in the physical. The one, possesses as much natural force, as the other. The layman has as much right to govern the conscience of the priest, as the priest has to govern the conscience of the layman; and the question has generally been, not who does in reality possess the right, but who shall acquire and maintain it.

The solution of this simple question, has changed the face of nature. It follows, of course, by analogy of argument, that the right to exclude the sentiments of religious liberty, be they of whatever nature, never did, nor never can exist, on the ground of principle.

The liberty of conscience, may be considered as a species of personal property. It is of the most sacred kind; and can never be invaded upon the principle of right. He, therefore, who would deprive another of that property, would act under the same title, that authorizes the assassin to commit murder, or the robber to deprive the traveller of his purse. Against these crimes, human laws have opposed the vengeance of punishment. Against the crimes of religious despotism they are silent. Blush justice! for your oracles are impostors.

But to shew the absurdity of any man or set of men, setting up a tribunal for the regulation of conscience, in a more conspicuous point of view, let us enquire whether superiority of right to do so, can be grounded on superiority of knowledge. If knowledge is to be considered as the criterion in this case, I must be first convinced, that this knowledge is fully competent to reveal the truth and to protect me, from the illusions of error. I must, in the second place, be so completely satisfied of the character who presides over my spiritual destiny, as not to doubt the purity of his motive, in assuming the power of the inquisition.

There can be nothing more absurd, than to form a criterion to explain a subject, which in its nature is inexplicable. There may be a thermometer to measure the operations of the physical world; because first principles are deducible from facts, which are presented to the senses by philosophical experiment. But a thermometer of conscience, has no fixed point to rest on, where its mensuration ought to begin and where it ought to end, independent of the common feelings and sentiments of mankind. To make knowledge, therefore, the evidence of the inquisitorial title, is to invest it with the most dangerous power. When it requires a greater sacrifice, than the due subordination of the passions, it becomes an engine of terror, because like despotism, it has no laws but the laws of extermination.

There is no tyranny in the world, more insolent or less tolerant, than that which proceeds from a conceited superiority of wisdom. It gives consequence to the sop and importance to the hoary headed bigot.

But what is the extent of the most consummate human knowledge? Can it pierce the veil, which fate has drawn between time and eternity and reveal the destiny of man, in the celestial world? Do the most profound researches in science, enable him to unbar the everlasting gates of death, and exhibit to the human mind, the mysterious scenes that are acting behind the curtain. Answer, ye, on whom the light of nature never beamed, whose bosoms never caught the sacred flame that grants a liberal toleration to the sentiments of all the children of men. Recollect that the sublimest intellect proves impotent in its researches after the decrees of futurity. In vain may the philosopher attempt to follow that steady course of deduction, which leads to a successful demonstration. As soon as the mind relinquishes the evidence of the senses and the convictions of reason, it wanders into the regions of vision. The imagination assumes dominion; the image of truth flits before the light, like those ideal beings which the delirium of reason personifies into the semblance of reality.

It is like the eagle, which in its aerial excursion, eludes the pursuit of the eye, and leaves nothing but its image, which fancy weakly paints, on the blue expanse of the firmament.

What then are the claims, what the pretensions of the most ingenious dogmatist, on this subject? He is incapable, by his wisdom, to lull to repose, that anxious solicitude which the human mind continually feels, to unravel the decrees of fate. A tribunal of conscience, therefore, without the power to communicate more knowledge on the subject, than what is dictated by the common feelings of all mankind, can only be exercised in one way. It must be active. Despotism is of that vigilant nature which never slumbers. A tribunal of conscience, is a religious tyranny; and its effect has uniformly been, the dissemination of error and oppression.—I appeal to the annals of history for the truth of the assertion; and rest its validity upon the common experience of mankind.

Hence, if superior knowledge is to be considered as evidence of the title to the inquisitorial chair, it exhibits human rights, in a state of degeneracy. It is putting the liberty of conscience, which springs

from the light of nature, under the dominion of speculation, which is often influenced by the passions of men; and at best, is nothing more, than the desultory conclusions of human reason. Besides, if knowledge is to be considered the criterion, there ought also to be a criterion to fix the precise grade of that intelligence, which is most suitable to the end in view.—I must, also be acquainted with the nature and force of the evidence upon which it is grounded; otherwise, I am not bound to give up my natural privilege of thinking for myself, to another. Now if I am as well acquainted with the evidence of truth as another, I am equally as well qualified to regulate my actions, by the light it has communicated to my mind.—I am possessed of that grade of intelligence which prepares me, to combat error and elude the enchantments of delusion. My moral duty is secure upon the ground of conviction, as far as conviction can make an impression upon it. If, therefore, truth has become as familiar to me as another, we are in that case, precisely on the same terms of equality. I will then, very naturally ask, who is he that would presume to know the true mean of regulating my conscience better than irrevocably precluded and barred myself? In this state of the case, the answer can only be, no one. The dreams of fancy, which are not the rights of reason, give him not the title. I am possessed of all that evidence of the truth, which another has acquired, and which, he cannot transcend, by any human exertion. Usurpation gives him no claim to the inquisitorial prerogative; human legislation cannot confirm it, or time give it validity.

Presumptuous, therefore, is that man who intermeddles between me and my God. If happiness is the great end of my being, religious liberty, its component element, is founded in the original decrees of Providence.—To deprive me of it, is tyranny of the most sacrilegious kind. It is human despotism in arms against the God of nature, conspiring to derange the beautiful order of the universe, by violating the laws, that connect it together.

Thus I hope I have proved, that the author of the "Age of Reason," has done nothing more by the publication of that work, than exercised a right which belongs to him as a human being; a right, which he derives from the constitutions of both France and America, and one, which grows out of the genius of all republican institutions.

This great man has been persecuted by every tory and tory paper on the continent. "The Age of Reason" is made the most offensive pretext. Why do they not calumniate Palmer and the "Temple of Reason?" The truth is, Palmer never wrote "Common Sense," "Rights of Man," &c. and the Temple of Reason never published them.

The eagle, which in his atherial flight, fixes his eye on the sun, is a more elevated being in contemplation of philosophy, than man under the influence of his passions.

STILPO.

DEFENSIVE AND DESCRIPTIVE REMARKS, ON THE

Tennessee Company Purchase.

ON the 24th day of January, in the year seventeen hundred and ninety five, the legislature of Georgia, in a full session assembled, in perfect conformity with their own constitution; did, by virtue of the powers to them delegated by the laws, bargain and sell unto Zachariah Cox, Matthias Maher and their associates for a valuable consideration (acknowledged by the proper officers, to have been received into the treasury of state,) all that tract or parcel of land, denominated and known by the name of the Tennessee Company Purchase; which purchase embraces the Great Bend of the river Tennessee, together with a vast quantity of first rate bottom, which stretches itself along the South bank of said river for upwards of thirty miles, including at least, one hundred and fifty thousand acres of the most fertile and productive land on the continent of Western America.

Notwithstanding the solemnity, legality, and perfect constitutionality, of the above mentioned grant of land to Cox, and his associates; the very next assembly of Georgia, did, contrary to all law precedent, and the principles of justice, pass a declaration, (for it cannot properly be termed a law) declaring the sale to be null and void, and forever null and forever void!!!

and to crown this their most extraordinary unparalleled preposterous declaration, they then caused the record, which was made for said land, to be drew by violence from the archives of the state, and publicly committed to the flames!!! What motive or notions, induced this run-mad speculative assembly, to assume such unconstitutional, impolitic, and despotic powers, as to make and pass this their illegal, iniquitous and infamous declaration; I know not, but certain it is they did it, which serves either as a monument of their profound ignorance or abandoned principles, for nothing can be more obviously clear and certain beyond all manner of doubt, than that this their lunatic proceedings, has not, nor cannot affect the right of the company, (nor any of their grantees) to the said land in the smallest degree, for where an individual, or individuals, are parties to, and induty is secure upon the ground of conviction, as far as conviction can make an impression upon it. If, therefore, truth has become as familiar to me as another, we are in that case, precisely on the same terms of equality. I will then, very naturally ask, who is he that would presume to know the true mean of regulating my conscience better than irrevocably precluded and barred myself? In this state of the case, the answer can only be, no one. The dreams of fancy, which are not the rights of reason, give him not the title. I am possessed of all that evidence of the truth, which another has acquired, and which, he cannot transcend, by any human exertion. Usurpation gives him no claim to the inquisitorial prerogative; human legislation cannot confirm it, or time give it validity.

These rights & this doctrine is expressly guaranteed and recognized to every citizen, not only by the great confederated compact of united America, but likewise by the different state constitutions, and the universal principles of law and justice.

If notwithstanding the sacred right of the company, and their grantees, to the peaceable enjoyment of said purchase; we could conceive it possible for the state of Georgia, to be so impolitic and iniquitous as to oppose them in it, would not all public faith in that state begreantly weakened if not totally destroyed! the constitution flagrantly violated with unexampled impunity! and the sacred temple of justice rent asunder and buried in the wreck of violated fundamental law! "Forbid it justice," forbid it good policy, and forbid it people of Georgia.

WERTER.

24th January, 1803.

3W

VALUABLE PROPERTY FOR SALE.

700 acres Military Land, lying on Brush creek, N. W. T. where the road crosses from Limestone to Chillicothe; this tract contains about three hundred acres of rich bottom, the remainder is well timbered; has on it a good mill seat, and is an excellent stand for a public house.

500 acres ditto ditto, lying on Glover Lick creek, a branch of the East fork of the Little Miami, N. W. T. in a good neighborhood, about three miles from Dunhams-Town, seven from Williamsburg, and eleven to twelve from the Ohio river.

1000 acres ditto ditto, lying on Brush creek, a few miles from New Market, N. W. T.

5000 acres, lying on Bank Lick creek, Kentucky, part of two tracts, containing 6000 acres, surveyed and patented for William Jones.

4000 acres, Clarke county, Kentucky, part of a tract of eight thousand acres, surveyed and patented for Richard Chinnorth.

3332 2-3 acres, Mason county, Kentucky, part of 5000 acres, surveyed and patented for George Underwood.

1200 acres, Mason county, Kentucky, surveyed and patented for Moody and M'Millin.

1000 acres Military land, on the waters of Russell's creek, Green river.

325 acres, Jefferson county, Kentucky, about four miles from Louisville, 40 acres of this tract is cleared.

116 1-2 acres, Franklin county, Kentucky, on the North fork of Elkhorn, about six miles from Frankfort; on this tract are considerable improvements.

A House and well improved Lot in the town of Paris, on Main street, and adjoining Mr. Hughes's tavern.

An Inn and Out Lot in said town.

Also a House and well improved Lot in this place.

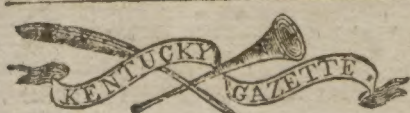
The above described property will be sold low for CASH, HEMP and TOBACCO, or on giving bond with good security, a considerable credit may be had.—For further particulars enquire of the subscribers.

JOHN JORDAN Junr.
JOHN A. SEITZ.

Lexington, Kentucky,
January 14th, 1803.

Taken up by John Dozier, in Nelson county, in the neighborhood of Chaplain's fork, an

IRON GRAY FILLEY,
Judged two years old past, no brands perceptible, judged thirteen hands three inches high; appraised to Tol. Travers Davis, J. P. N. C.
July 23d, 1802.



LEXINGTON, JANUARY 25, 1803.

We are requested to give notice, "that if God will, Mr. Abel Serjeant will preach in Lexington on the last Sunday in this month, at 12 o'clock, and at early candle light; at such place as the friends shall appoint."

There are two mails from the Eastward now due.—The Southern mail of last night brought a paper containing the following article:

LONDON, November 3.

We received last night French papers to the 31st ult. It is with a mixt feeling of sorrow and indignation, that we announce the entrance of the French troops into Switzerland. The courier who carried col. Rapp's summons to the diet of Schwitz to dissolve itself, was to allow the Diet only one hour to come to a determination. The President, Reading, returned for an answer, "that having received the letter at 10 o'clock at night, and consequently too late to convene the assembly, and that having only one hour given him to reply, he had confined himself to acknowledge the receipt of the letter."—As soon as this laconic answer was received at Berne, general Ney's aid-de-camp set off for Genoa; and in 24 hours afterwards the general himself arrived. On the evening of the 23d a battalion of French troops took possession of Berne. A corps of 1000 men had taken possession of Basle two days before. Troops are also marching against Zurich, and the French army in the Italian Republic has entered the Grisons.

It is asserted, in the Paris papers, that the entrance of the French troops, is the consequence of the reply of the president of the Swiss Diet. But that is a mere pretence; for the troops had actually entered the country before that reply was received. The French officer who was the bearer of it, arrived at Berne at 11 at night on the 21st. On that very day a battalion of 1600 men occupied Basle, Grison had been invaded some days before. It seems obvious therefore, that the invasion of Switzerland was a measure determined upon whether the Diet submitted or not.

The Diet has sent couriers to the different cantons to furnish their contingents with all possible speed. Not that Switzerland, unaided by a single power, can expect to resist with success, the torrent of French force which will be poured upon her: but it is some consolation to see that liberty can still inspire her sons with the gallant determination not to yield without striking one blow for Switzerland.

COMMUNICATION.

"THE following extract from a London print, is recommended to the very serious attention of some of the courts of justice in Kentucky. The noise and want of decorum in our tribunals, remind every stranger of the Bear Garden and the brawling streets. There are regions where tumult and disorder should not be seen. There are places where respect should be paid to official station, where the honor and dignity of the country is interested in supporting it. Respect should be decently exacted where ever it is due, not from a principle of pride, or from a littleness of mind—but because it facilitates the due degrees of necessary acquiescence, and regulates the complex movements of the political machine." How is it possible for causes to be investigated, for business to be transacted, with order and regularity, amid tumult and confusion? Where every citizen assumes the right of conversing in courts of justice, it is impossible for the arguments of counsel to be heard, or for the testimony of evidences to be listened to. The attention of the court and jury should not be divided. Where the rights and properties of their fellow citizens are to be decided on, no other object should engross their attention. If that is taken up with the frivolous transactions of others, they may chance to overlook arguments and evidence, which otherwise would have decided the cause.

But the rapidity with which business would be transacted if disorder and tumult were banished from our tribunals, should be a great inducement for our courts of justice to banish it from their presence. It is as impossible, where tumult prevails for business to be conducted with dispatch, as for it to be done with justice and propriety.

The judge who tamely suffers it, or whenever it appears passes it by unnoticed, disgraces himself, degrades his official station, and dishonors the public justice of his country. There are laws respecting it, or for punishing it whenever it appears. And the judge who does not execute the law, encourages it negatively, when he might repress it by acting positively. The man who suffers murder to be committed when he can prevent it, is almost as great a criminal, as him who is the immediate perpetrator. And the judge who permits disorder when he can prevent it, encourages its exultance negatively.

How easily might it be repressed if

judges were determined to comply with the dictates of duty. If a few examples were made, if penalties were exacted on those who disturbed the order and decorum of courts, if judges were to declare their determination of rigidly enforcing the law; then might that order and decorum be restored to their proceedings which the law contemplates, and so much delights in. People would then expect to see it observed, and reverence and respect to the constituted authorities would be the first sensations which they would feel upon entering the walls of a court of justice.

Let the following article be read, and for the sake of decency, for the advancement of business, and for the promotion of justice, that all indecorous tumult in our tribunals may hereafter be legally quelled.

"The audience in Guildhall was yesterday (14th June) very noisy, and interrupted the proceedings of the court of king's bench several times;—at length the chief justice inquired whose duty it was to keep silence, and being informed it was the sheriff's he immediately stopped the proceedings in the cause, until the under sheriff made his appearance. His lordship then informed him, that it was his duty to order silence kept; I therefore fine you 5l. for your negligence; & unless silence be hereafter observed, I shall have recourse to the same means to enforce your attention to your duty."

TEN DOLLARS REWARD.
STOLEN from the subscriber, (out of his stable) A SADDLE, almost new, has been used about three months; the maker's name is Seth Creigh, which will be found under the skirt of the saddle. Any person who will give such information as will enable me to prosecute the thief, shall have the above reward, or FIVE DOLLARS for the Saddle only.

JOHN A. SEITZ.
Lexington, 21st Dec. 1803.
In all probability the Saddle will be offered for sale in this neighborhood.

NOTICE.

ALL persons indebted to JOHN C. OWINGS & Co. are requested to make payment to the Subscriber, before the 15th of March next. The situation of the company will not admit of their giving longer indulgence.—And those who have demands against said firm, are requested to bring them forward for adjustment.

JAMES MORRISON,
Agent for J. C. Owings & Co.
Lexington, Jan. 24, 1803.

BOAT BUILDING.

THE Subscribers take this method to inform the public, that they have now on hand at Bowling's Landing, on the Kentucky river, TEN ORLEAN BOATS, for sale. Any person applying can have one completed by giving one week's notice. For terms apply to

Azariah Prather,
At Bell's Mills,
or Nathaniel Morrison,
Stephen H. Reed,
At the Landing.
January 19, 1803.

LINCOLN COUNTY, &c.
To all Sheriffs and Constables within the Commonwealth of Kentucky—
Complaint being this day made to me upon oath, by David Simpson, deputy sheriff for James Davis, Sheriff of Lincoln county that Alexander M'Farlin, who was committed to the jail of the said county, for want of bail or security, at the suit of Alexander M'Farlin, upon a writ of ne exeat, for five hundred pounds—did, on the night of the eighteenth day of January 1803 last past, make his escape out of the jail of the said county, and is now going at large. These are therefore in the name of the commonwealth of Kentucky, to require you and every of you, to seize and retake the said Alexander M'Farlin, if he be found in your respective counties or precincts, and being so retaken, to convey him, the said Alexander M'Farlin to the prison where debtors are usually kept in your said county, there to be kept in safe custody, until he be thence discharged by due course of law; and you, the said jailor, are hereby commanded to receive into your said jail and custody, the body of the said Alexander M'Farlin, and him safely keep, until he be thenceforth discharged by due course of law; and then make return of the execution of this warrant.—Given under my hand and seal this 19th day of January, 1803.

JONATHAN FORBES, (Seal)

Taken up by Harmon Craven, living in Jessamine county, near Shrieve's mill, a

DARK BAY MARE,
about five years old next spring, five feet high, a blaze face and three white feet, branded B on the near shoulder; appraised to 20l. Nov. 27, 1802. Telt
Samuel H. Woodson, c. j. c.

Fayette County, &c.
Taken up by Charles Carr, near Walnut-Hill meeting house, a small

WHITE HORSE,
twelve years old, thirteen hands and a half high, branded but not legible; appraised to 8l. Given under my hand this 1st day of January, 1803.
H. Harrison.

Taken up by William Nelson, Harrison county, Raven creek, a

RED ROAN HORSE,
three years old last spring, upwards of fourteen hands high; appraised to 8l.
C. T. Andw. Hampton.
29th Nov. 1802.

ALL persons are hereby cautioned against dealing with, or crediting my wife Lucy Haff, as I am determined to comply with no contracts made, or debts contracted by her after the date hereof.
Paul Haff.
January 20th 1803.

NEW AND CHEAP GOODS.
TROTTER & SCOTT,
Have just received, and are now opening,
A Large & Complete assortment of FALL & WINTER GOODS,
Of the latest importations from Europe.
Consisting of
Dry Goods,
Hard Ware,
Groceries,
Queens', China & Glass Ware,
& Window Glass;
Together with a number of articles too tedious to enumerate.

All of which being purchased lower than any imported into this state, will be sold accordingly, for CASH IN HAND.
Lexington, November 17, 1802.

THE Legislature having by act of Assembly, approved December 16th 1802, authorized the President and Directors of the KENTUCKY INSURANCE COMPANY, to enclose their Capital Stock to Fifty Thousand Dollars; by disposing of Shares at one hundred dollars each, in addition to those already subscribed, until the Shares amount to five hundred—

In pursuance of which,
The President and Directors
GIVE NOTICE,
That for the accommodation of the Citizens of this State in general, they have appointed the following persons to open Books, and to receive the first payment of such persons as wish to become Subscribers, viz.

THOMAS TODD, at Frankfort.
RICHARD STEELE, Louisville.
JAMES BIRNEY, Danville.
KELLY & BRENT, Bourbon.
DANIEL VERTNER, Washington.
DAVID ZEIGLER, Cincinnati.
JOHN WILKINS, Pittsburg.
Subscriptions will likewise be received in Lexington by the PRESIDENT & DIRECTORS.—No one person can subscribe for more than 10 shares.

As it is presumed that the Institution will become advantageous not only to the subscribers and the commerce and trade of our state, but to the whole Western country; the books will be opened on the 24th instant, for fourteen days only, after which they are to be returned to the President and Directors in Lexington, who will then take measures to fill the subscription in other states; should there remain any shares undisposed of.

By order of the board.
W. MORTON, President.
Madison County &c.

June Court 1802.
John White, complainant,
Against
William Weathers, defendant.
IN CHANCERY.
THE defendant Wm. Weathers, having failed to enter his appearance agreeable to law and the rules of this court, and not being an inhabitant of this state, on the motion of the complainant by his counsel, it is ordered, that the said defendant do appear here on the first Monday in March next, and answer the bill of the complainant; and that a copy of this order be published for two months in the Kentucky Gazette, another set up at the court-house door, and a third published at the Stone Meeting-house some Sunday after divine service.

A copy,
Telt,
D. BULLOCK, c. c. o. s.

Taken up by by RICHARD S. EYES, Madison county,

A DARK BAY FILLEY,
about two years old, four feet eight inches high, a white spot on her forehead and a snip; appraised to 12l. October 4th 1802, before me.

A copy,
Telt,
STEPHEN TRIGG.

THE SUBSCRIBER

INTENDS going to Philadelphia early in the spring, requests all those who are indebted to him, either by bond, note or book account, to pay by the first of February next—those who fail to comply with the above request will not be entitled to a credit hereafter, and will have their accounts put into the hands of proper officers for collection.

He has on hand a handsome assortment of MERCHANDISE, which he will sell low for Cash, Tobacco, Country Linen, Bees-wax, Goose Feathers, &c.

Has just received a Handsome Assortment of
QUEENS' WARE, COTTON CARDS,
And daily expects a large assortment of Hard Ware, Cutlery, &c. and a handsome collection of Books.

GEORGE ANEDRSON.
Lexington, Jan. 5, 1803.

N. B. A FARM about three miles from Lexington on the Tate's creek road either to sell or rent. Apply as above.

PRINTING OFFICE,
AND
BOOK STORE.
(Removed from Philadelphia).

JOSEPH CHARLESS,

INFORMS his Friends & the Public, that he has opened his PRINTING OFFICE & BOOK STORE, between Mr. Bradford's Office and Mr. Marshall's Tavern.

THE Merchants of the states of Kentucky, Tennessee and Ohio, may be supplied with School and Miscellaneous Books, on the same terms as at Philadelphia or Baltimore, (adding carriage.) As soon as paper can be procured, the printing of Spelling Books, &c. will be commenced.

Amongst his present stock on hand, are

2 Sets Hume's History of England, with the Continuation,
2 Sets Shakespeare's Works, with Johnson's notes,
4 Chaptal's Chemistry,
2 Materia Medica,
75 Goldsmith's England, } Abridged.
50 do Rome, }
150 Scott's Lessons,
100 Sheridan's Dictionary, large and small;
150 Bibles, octavo school & pocket,
500 Testaments,
1000 Spelling Books, assorted,
2000 Primers.
With a variety of Miscellaneous Books.
Expected in a few weeks, a quantity of The Baltimore Collection, and Rippon's Hymns.

PROPOSALS
Are issued for Printing by Subscription,

A NEWS-PAPER,
TO BE CALLED
The

INDEPENDENT GAZETTEER;
Of a size nearly equal to the Philadelphia Papers at 12s. per annum. Lexington, January 18th, 1803.

CLARKE COUNTY,
October Term, 1802.
Micajah Clarke, complainant,
against

Josias Bullock, William Bullock, George Caldwell, Samuel Smith, & Patterson Bullock.

IN CHANCERY.

THE defendants Josias and Samuel, not having entered their appearance herein agreeable to law and the rules of this court, and it appearing to the satisfaction of the court, that they are not inhabitants of this commonwealth.—On the motion of the complainant by his counsel, it is ordered that unless the said defendants do appear here on the second day of the next March term, & answer the complainant's bill, the same will be taken for confessed—that a copy of this order be forthwith inserted in the Kentucky Gazette for two months successively, that another copy be posted at the front door of the court-house of this county, and that another copy be published at the door of the Stone meeting house on Howard's creek, some Sunday immediately after divine service.

A copy,
Telt,
D. BULLOCK, c. c. o. s.

Taken up by by RICHARD S. EYES, Madison county,

A DARK BAY FILLEY,
about two years old, four feet eight inches high, a white spot on her forehead and a snip; appraised to 12l. October 4th 1802, before me.

A copy,
Telt,
STEPHEN TRIGG.

ALL PERSONS,

INDEBTED to the subscribers, by bond, note or book account, are requested immediately to pay the same—TOBACCO, HEMP, GINSENG, HOGS' LARD, & BEES' WAX, will be taken in payment at the market price; after this notice, should any person, omit making payment, they will be sued.

On the arrival of Geo. Poyzer, Wm. Macbean intends starting to New-Orleans, and thus renders his services to any persons who may have business to transact either at Natchez, Orleans, or in the eastern states, on commission.

W. Macbean attends every day at the Insurance Office.
MACBEAN & POYZER.
8th January, 1803. 5t

RAN-AWAY,

FROM the subscriber in Bourbon county, on the 2d instant, an apprentice lad to the tanners trade, **LEWIS BROWN** by name, about eighteen years old. All persons are hereby cautioned against employing or harbouring him in any wife: And any person that will apprehend said apprentice and bring him back to the subscriber, shall receive FOUR PENCE reward.

JOHN HOPPER.
January 10th, 1803. *3

LOST

Sometime in March 1802, supposed in Lexington,
A BOND

ON Col. Charles Clay of Clarke county for £140. All persons are hereby forewarned from purchasing said Bond, and Col. Clay is also forewarned from paying said bond to any person except myself.

ZEDEKIAH SOUTH.
Henry county, Jan. 11th, 1803.

The above advertisement was handed for publication in August last, but accidentally omitted.

*3w PRINTER

Taken up by John Scott, on the Hickman road, a dark bay horse, three years old, about fourteen hands high, his hind feet white, a star in the forehead, branded H appraised to £12.

Given under my hand, this 15th day of November, 1802.
JOHN HAWKINS.

FOR SALE,
One Hundred and Five Acres of LAND,

ON South Elkhorn, eight miles from Lexington, at the mouth of the Town Fork, with two convenient Dwelling Houses, Merchant, Saw & Hemp Mills lately repaired, a Barn, Stables, and other Useful Buildings—Apple and Peach Orchards, &c. The title indisputable. This valuable property will be sold at a low rate partly for cash, and partly for merchandise or lands in the lower counties of this state or the adjacent counties of Tennessee. If not sold before the 25th of March it will be rented.

JOHN CALHOON Senr.
8th January, 1803. *3

NOTICE.

THOSE indebted to JOSEPH TILFORD deceased, late of Lexington, either by bond, note or book account, are requested to make payment immediately. Also those having demands against said deceased, are requested to bring them forward properly authenticated, in order that arrangements may be made for payment, by

JESSE LAMME, Adm.
Fayette county, }
January 10, 1803. } 3w

Taken up by LEWIS NOEL, living one and an half miles from Curd's Ferry, in Jessamine County, a chestnut sorrel MARE, four years old past, no brand perceivable—some saddle spots, shod before, 14 1/2 hands high, appraised to 60 dollars.
Given under my hand this 22d day of November, 1802.

JOHN LOWERY.

SADDLE FOUND.

FOUND on the Georgetown road, a few mornings since, a half worn

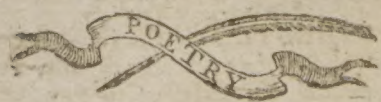
SADDLE.

The owner may have it by applying to the subscriber and paying charges.
WM. ALLEN.

RALPH NAILOR,

Who formerly lived Kentucky, died in December 1799, in Jones county, North Carolina. If he has any heirs in this state, they may hear of something to their advantage by applying at this office.
Nailor was a mill right.

[Sundry Advertisements unapproved, omitted shall appear in our next.



From the National Aegis.

STANZAS.

To Thomas Jefferson, president of the United States.

OFF' have the poet's mercenary song,
Correctly mean and elegantly low,
Told the false plaudits of a courtly throng,
And wak'd a smile on guilty grandeur's brow.

But, Jefferson, here virtue's guardian hand
Tears from the Syren, adulation's power;
Thy spotless praise the voice of every land
Hangs on the wings of every parting hour.

Here can no poet's mercenary song,
Echo the praises of a courtly throng,
Nor the poor wealth of many a powerful state.
Buy a new honour for the Truly Great.

Proud of her theme, the muse would gladly rise,
And soar, majestic, thro' yon azure skies;
For there the power of heaven-defending verse,
Would but a nation's gratitude rehearse.

From Europe's shores to farther India's lands,
From Ganges flood, to Africa's burning sands,
Thy worth, thy greatness, to the world are known;
Majestic virtue soars above a Throne.

Long had we groan'd beneath oppression's chains,
Long had we wept for darling liberty;
When Jefferson, in mild, seraphic strains,
Bade us our fetters spurn and dare be free.*

The voice of millions lift thee o'er the realm,
Which thou, with Washington, from slavery freed;
Powerful in virtue, now thou rul'st the helm;
In peace—in war, the blest of Heaven succeed.

While the great globe shall on its Axis roll,
Or twinkling planets in their orbits run;
Thy deathless name shall sound from pole to pole,
And rival e'en Columbia's Washington.

'Tis thine to breathe new virtue o'er the Earth,
To inspire the love of liberty in man,
To bring creation to a glorious birth,
To charm perfection, and complete the plan.

Oh! born to grace and dignify mankind,
Years long await thee—time himself shall stay;
For thou, half op'd, resplendent to the mind,
The bright effulgence of fair freedom's ray.

"Long mayest thou live (the soul of nature cries),
"Greatest of mortals, favorites of the skies."

ROSANNA MARIA.

Sutton, November, 1892.
*Alluding to the Declaration of Independence.

DIVERSITY.

A gentleman having appointed to meet his friend on particular business, went to his house and knocked at the door, which was opened by a servant girl—He informed her he wanted her master. "He is gone out, Sir," says she. "Then your mistress will do," said the gentleman. "She," said the girl, "is gone out too."—"My business is of consequence," returned he, "is your master's son at home?"—"No, Sir," returned the girl, "he is gone out."—"That's unlucky indeed," replied he, "but perhaps it may not be long before they return; I will step in and sit by the fire."—"Oh, Sir," said the girl, "the fire is gone out too." Upon which the gentleman bade her inform her master, that, "he did not expect to be received so coolly."

TAKEN up by LEWIS NOEL, living 1 1/2 miles from Gurd's Ferry, in Jefferson County, a light bay or sorrel HORSE, about 8 or nine years old—no brands perceivable; one saddle spot on each side of his back, with a small star and snip, the off hind foot clubbed, shod all round, fifteen hands high, his thigh galled on the near side—appraised to fifty dollars.

JOHN LOWERY.

Wanted,

AN APRENTICE

TO THE PRINTING BUSINESS.

Apply to the Printer bereof.

CASH

Will be given for a likely NEGRO WOMAN, Between the age of 16 and 25 years She must be well recommended.—Enquire of the Printer or of JACOB TODHUNTER, in Jefferson county. January 1, 1803.

WALKER BAYLOR & SON. Have just received on consignment, a quantity of

WINE, RUM, and FISH OIL, Which they will sell on a moderate advance for CASH only.

They have also on hand SPANISH ACID, by the quart or cask. And expect by the first arrivals to receive

SUPERFINE CLOTHS, BLANKETS & other woollens, SPANISH and FRENCH INDIGO. Lexington, Dec. 17th, 1802.

THE Co-partnership of JOHN JORDAN JUN. & Co. having this day expired—All those indebted to said firm either by bond, note or book account, are requested to make immediate payment to John Jordan Jun. or Andrew F. Price, or steps will be taken to compel the same.

JOHN JORDAN JUN. & Co. N. B. The business in future will be done by JOHN JORDAN JUN. who has a

Large and General Assortment of MERCHANDIZE, which he is determined to dispose of on the most reasonable terms for Cash, Hemp, Country Linen, or approved produce.—No Credit. Lexington, K. Nov. 20th, 1802.

NEW & CHEAP GOODS.

WILLIAM WEST, Has just received in addition to his former assortment, the following MERCHANDISE, Viz.

Fine Cloths and Cassimers; Coarse do. and Coatings, Elastic do. and Flannels, Scarlet Cardinals, Filled Stockings and Gloves, Worked and Cotton Stockings, Silk Shawls and Handkerchiefs, Fanny Swandown, Velvets, Thicksets and Corduroys, Irish Linens and Calicoes, Umbrellas, Blistered Steel, Pennsylvania made Axes and Castings, Madder and Indigo, Coperas and Alum, Mace and Nutmegs, Cinnamon, Green and Bohea Tea, Pewter and Tin ware, Ladies' Elegant Muffs and Tippetts, White and Coloured furr Trimmings, Lace and Edgings, Spelling Books, Slates, Paper and Ink Powder.

Which he will sell at the most reduced prices for Cash, or approved Country Produce.

CLARKSVILLE.

PURSUANT to a Resolution of the Board of Trustees, of the Town of Clarksville, will be sold at public auction, in the town of Jeffersonville, all the unfold inn and out LOTS of the said town of Clarksville. The sale will commence on Monday the twenty-first day of March next, at 10 o'clock. A credit of twelve months will be given—bond and approved security will be required.

By order of the Board. WILLIAM CLARKE, S. T. C. Clarksville, } Dec. 22d, 1802. } 2m

TAKEN up by CLEAVER HORREL living on Harrod's fork of Crocus, Adair county, one BAY FILLEY, one year old last spring, branded on the near shoulder and thigh, thus S, no other marks; appraised to \$1. this 22d day of November, 1802.

JAMES GILMER, J.P.

TAKEN up by the subscriber, living in Scott County, on the waters of Eagle creek, one black HORSE, five years old next spring, branded on the near shoulder O, part of one of his hind feet white, fear on his right knee, fourteen hands high; appraised to 10l.

BENJ. ROBINSON. Jan. 11th, 1803. *

ROUND TEXT COPIES,

May be had at this Office,

Price 2/3.

ALEXANDER PARKER & Co. Have just received from Philadelphia in addition to their former assortment,

Irish Linens, Worked Hosiery, Coarse Mullins, Mullin Shawls, Black Bombazettes, Hyfon and Imperial } TEAS, Madeira, Sherry, and } WINES, London Particular 4-4 proof French Brandy, Mustard in bottles, Allspice, Nutmegs, Cinnamon, Cloves and Mace, Spirits of Turpentine and Turpentine Varnish, Coperas and Glue, 1-2 pint and quart Tumblers, 8 by 10 & 10 by 12 Window Glafs, 14 by 14 & 19 by 20 Coach Glafs, Gallon, Half-Gallon and } BOTTLES, Quart, Queen's Ware, Dishes assorted, Vegetable and Sauce do. do. Plates assorted, China Cups and Saucers, White and Enamelled Queen's Ware do. assorted, Enamelled Teapots and Sugar Dishes, Bowls and Mugs, Cotton and Wool Cards assorted, Sheet Copper, Brass, and Iron, Millington and German Steel, Mill and Crosscut Saws.

BOOKS, Jacob's Law Dictionary, Sheridan's & Entick's Dictionaries, Young's Latin do. Cuthrie's Grammar, Ferguson's Astronomy & Lectures; Vattel's Law of Nations, Duncan's Logic, Scott's Lessons, Columbian Orator, American Selection & Preceptor, Gibbon's Surveying, Staunton's Embassy, Clarke's Homer and Virgil, Greek Testaments, School-masters Assistant, Bibles, Testaments, Spelling Books, &c. &c. Which they will sell on the most moderate terms for Cash, Country Linen, Linsey and Hemp. Lexington, Dec. 2d, 1802.

N. B. Have on hand a large quantity of Mixed and Drab Plains, Halfsticks, and Coatings, which will be sold very low by wholesale or retail.

FOR SALE, 2000 Acres of LAND,

Situate, lying and being in the county of Bourbon, in the forks of Brush creek and Hinkton near Millerburg, entered on a military warrant early in 1780, surveyed and patented in the name of Joseph Chew, and by said Chew, conveyed in trust to Robert and John Watts, of the city of New-York. The good quality and convenient situation of this tract of Land is so generally known, that a particular description would be unnecessary, it is presumable those inclined to purchase will examine it. It will be divided if required.

The subscriber will sell it at private sale, and if not disposed of sooner, it will be offered publicly at the Paris District court in March next, where the title papers by application may be seen, and due attendance will be given by

H. TAYLOR, Attorney for Robt. & John Watts. 30th Oct. 1802.

MILITARY LANDS. FOR SALE,

1000 Acres of Military Land on Cumberland River, including the Big Eddie creek on both sides, and adjoining the tract on which the Seat of Justice for Livingston county is established, known by the name of Eddieville. Also, 1000 acres on Tradewater.

The above lands were entered, surveyed, and patented in the name of Whitehead Coleman, of the Virginia Continental Line, and are said to be of the first quality in that part of the country, both as to soil and situation—Reference may be had to the office of Col. Richd. C. Anderson, who located and surveyed them.—For terms apply to the subscriber in Lexington.

JNO. M. BOGGS.

** If the above lands are not sold before the 1st day of January 1803, they will be leased on certain terms—Apply as above.

JOHN JORDAN JUN.

Has just received and is now opening, A large and well chosen assortment of MERCHANDIZE, Consisting of the following articles, viz.

Superfine, Fine & Common Cloths, Cassimers, Swandowns, Striped and plain Coatings, Rose and striped Blankets, Fancy and Constitution Cords, Velvets and Thicksets, Camblents, Wildbores, Moreens, Jones's and Durants, Callipancoes, Bombazettes and Bombazettes, Checks and Cotton Stripes, Jeans and Fustians, Boglepores, Plain, Clouded and Striped Nankeens, Gingham, Dimities, Merfaillies Vesting, Mantuas, Lutefrings, Tasseties, Senechews, Sattins and Pelongs, Perfians, Chintzes and Calicoes, Cambricks, Cambrick, Jaconet, Lappet and Book Mullins, Do. do. do. do. Tambored do. Jaconet and Book Mullin Handkerchiefs, Do. Bordered Shawls, Bandanna, India, Pullicat, Romall & Barcelona Handkerchiefs, Silk Shawls, Cotton do. Cotton Romall Handkerchiefs, Linen & Cotton Pocket Handkerchiefs, Coarse Mullins, Silk and Cotton Hosiery, Ribbands, Gloves, Laces and Edgings, Sewing Silk, Thread and Tapes, Turkey Red, Groceries, Stationary, Hardware, Cutlery and Saddlery, Queens and Glafs wares, 6d. 8d. 10d. and 20d. Nails and Brads, Castings.

ALL of which they are determined to sell at the most reduced prices for CASH, COUNTRY LINEN or HEMP.

N. B. Those indebted to JOHN JORDAN JUN. & Co. or JOHN JORDAN JUN. either by bond, note or book account, are requested to come and pay off the same, as 'tis not reasonable further indulgence should be given.

July 1st, 1802.

NOTICE.

THOSE indebted to DR. SAMUEL BROWN, for medical services, will please to call on me, in Lexington, and either pay off their accounts, or give due bills.—Dr. Brown being determined to have a final settlement of all his accounts, hopes that those who do not find it convenient at present to make payment, will not hesitate to give their obligations.

THOS. C. DAVIS. Dec. 7th, 1802.

ENTERTAINMENT, Sign of the Buffalo.

JOHN DOWNING, RESPECTFULLY informs his friends and the public in general, that he has taken that commodious framed house lately occupied by Mrs. M'Nair on Main-street, opposite the Court-house; where he is furnished with convenient rooms, good beds, and a large stable with separate stalls for the accommodation of travellers. As it will be his principal object to furnish both house and stable with every necessary the country will afford, he hopes for the patronage of a generous public, and assures them no exertion shall be wanting on his part to make their situation agreeable.

Lexington, Nov. 2, 1802.

Mercer County,

TAKEN up by Martin Adams, living on the head of Lyon's run, a

SORREL HORSE, about thirteen hands and a half high, five years old, no brand, has a blaze and snip; appraised to nine pounds.—Also a

SORREL MARE, about thirteen hands, and a half high, three years old, branded on the near shoulder thus X, has a star in her forehead; appraised to ten pounds.

JAMES SLAUGHTER, J.P.M.C. 20th December, 1802.

BLANK DEEDS, For Sale at this Office.

BRUSH MAKING.

Eighteen Pence per pound, will be given for COMBED HOGS' BRISTLES. By the subscriber, who will in the course of a short time, have all kinds of

BRUSHES

For sale, on more reasonable terms, and will warrant them as good, if not superior to any brought or imported here. He hopes the people of this state, will pay some attention to having them, or have it done by their domestics, in order to encourage manufactures in their own country, particularly as they are an article so easily saved.

They will answer as well taken off after the hogs are scalded, as before, and those of a hog one year old will do, that is, all that are bristles, short and long—I will take them uncombed, the price agreeable to the situation they are in.

JAS. C. RAMSAY, Brush Maker, At Mr. Wm. Edwards's opposite Mr. Bradford's Printing Office, on Main street. Lexington, Oct. 4th 1802.

ROBBERY OF THE MAIL.

200 DOLLARS REWARD.

WHEREAS a robbery has been committed on the mail, on its passage from Frankfort, in the state of Kentucky, towards Nashville, in the state of Tennessee, and a reward of 100 dollars offered by the Postmaster at Frankfort, in behalf of the Postmaster General, for the apprehension and conviction of the villain who perpetrated it. Now be it known that by virtue of the power vested in the Postmaster general by an act of the Congress of the United States I do hereby confirm and ratify the act of the Postmaster at Frankfort, and do offer an additional reward of 100 dollars for the recovery of the mail at the same time that the offender is apprehended and convicted of the crime; or 100 dollars for the recovery of the mail alone.

GIDEON GRANGER, Postmaster General. General Post Office, Washington City, November 16 1802.

STATE OF KENTUCKY.

Mason County Feb. October term 1802.

Samuel Smith, complainant, Against William Wood, Simon Ken- } Defen- ton and Others, } dants. IN CHANCERY.

IT appearing to the satisfaction of the court that the defendant Simon Kenton, is not an inhabitant of this commonwealth; and he having failed to appear and file his answer agreeable to law and the rules of this court, on motion of the complainant by his attorney, it is ordered, that unless the said defendant shall appear here on the first day of the next April term, in person, or by some attorney of said court, and file his answer to the complainant's bill, the same shall be taken as confessed; and it is further ordered, that a copy of this order be advertised for two months successively in some public authorized paper, and that another be posted at the door of the court-house in the town of Washington, and a third posted at the door of the Baptist meeting-house in said town, some Sunday immediately after divine service.

A copy. Teste Tbo. Marshall Jun. C.M.C.

FOR SALE,

THE Property lately occupied in this town, by Mr. Arthur Thompson, and at present by Mr. Dellum, consisting of Two New Two Story

FRAME HOUSES,

Neatly finished, large and convenient Cellars, a large frame Stable and Kitchen, good Smoke House, and Three Lots belonging to the above premises. Also two hundred acres of GOOD QUALIFIED LAND, lying on the head of Salt River, about seven miles from this town; the title clear of every kind of dispute; the Land is well watered, but entirely unimproved. A liberal credit will be given for the payment, and the whole amount will be received in Produce. The terms will be made known by application to Melis. Cochran & Thurlby, merchants, of Philadelphia, or the subscriber, in Danville. J. BIRNEY. Danville, 9th February, 1801 dJJ

THE PENNSYLVANIA

PHILOSOPHICAL SOCIETY, CONVENES at the University, agreeable to the constitution, on Friday the 28th inst, at 3 o'clock P. M.

By order of the Officers, JOHN TILFORD, Sec.

Those honorary members, who were elected on or before the April meeting of 1802, will please to forward their dissertations to the secretary by the 29th April ensuing, and preclude the inconvenience of individual application.

J. T. Lexington, Jan. 18th, 1803.